

Applicants will have expressly reserved the right to refile the subject matter of the canceled claims in one or more divisional applications. Accordingly, while claims 9 - 13 are currently pending.

Summary of the Official Action

In the instant Office Action, the Examiner has rejected claims 9 - 11 over the art of record. By the present amendment and remarks, Applicants submit that the rejections have been overcome, and respectfully request reconsideration of the outstanding Office Action and allowance of the present application.

Traversal of Rejection Under 35 U.S.C. § 102(b)

Applicants traverse the rejection of claims 9 and 10 under 35 U.S.C. § 102(b) as being anticipated by LAAPOTTI (U.S. Patent No. 4,976,820). The Examiner asserts that Figures 1 and 1A show the recited features, including a time duration of 20 ms and a pressure of between 0.2 and 1 MPa. Applicants traverse the Examiner's assertions.

By the present amendment, independent claim 9 has been amended to recite, *inter alia*, dewatering the fiber material web *by pressing the fiber material web together with a band at a dewatering pressing pressure of at most 2 MPa*, wherein the dewatering pressing pressure is exerted for a time duration of at least 3.5 ms. Applicants submit that LAAPOTTI fails to disclose at least the above-noted feature.

Applicants note that independent claim 9, as now amended, recites a maximum pressing force to be exerted on the web, and does not recite pressures exerted by a particular

press nip. Thus, Applicants note that, as LAAPOTTI discloses a dewatering arrangement in which the material web is pressed at various locations and at different pressing pressures, and, as shown in Figure 1A, the web of LAAPOTTI is pressed at a pressing pressure that exceeds 2MPa (i.e., in nip N), LAAPOTTI fails to disclose at least the above-noted feature of the instant invention.

Because LAAPOTTI does not disclose the above-noted feature, Applicants submit that this document fails to provide an adequate evidentiary basis to support a rejection of anticipation under 35 U.S.C. § 102(b), and that the instant rejection is improper and should be withdrawn.

Further, Applicants submit that claim 10 is allowable at least for the reason that it depends from allowable base claims and because it recites additional features that further define the present invention. In particular, Applicants submit that LAAPOTTI fails to anticipate, *inter alia*, the fiber material web comprises one of a tissue paper and a hygienic paper web, as recited in claim 10.

Accordingly, Applicants request that the Examiner reconsider and withdraw the rejection of claims 9 and 10 under 35 U.S.C. § 102(b) and indicate that these claims are allowable.

Traversal of Rejection Under 35 U.S.C. § 103(a)

1. Over Laapotti

Applicants traverse the rejection of claim 10 under 35 U.S.C. § 103(a) as being unpatentable over LAAPOTTI. The Examiner asserts that it would have been inherent to use LAAPOTTI in the manufacture of tissue or that it would have been obvious to manufacture tissue as suggested in the discussion of background art in LAAPOTTI. Applicants traverse the Examiner's assertions.

For the reasons set forth above, Applicants note that LAAPOTTI fails to provide any teaching or suggestion of pressing the web at a pressing pressure of at most 2MPa, as recited in at least independent claim 9. In particular, as Figure 1A of LAAPOTTI shows that the web is pressed at a pressing pressure of, *inter alia*, 8MPa, this document fails to teach or suggest the features recited in at least independent claim 9.

Further, Applicants submit that claim 10 is allowable at least for the reason that it depends from allowable base claims and because it recites additional features that further define the present invention. In particular, Applicants submit that LAAPOTTI fails to teach or suggest, *inter alia*, the fiber material web comprises one of a tissue paper and a hygienic paper web, as recited in claim 10.

Accordingly, Applicants request that the Examiner reconsider and withdraw the rejection of claim 10 under 35 U.S.C. § 103(a) and indicate that this claim is allowable.

2. Over Laapotti in view of Eber

Applicants traverse the rejection of claim 11 as being unpatentable over LAAPOTTI

in view of EBER et al. (U.S. Patent No. 4,488,932) [hereinafter "EBER"].

Applicants note that EBER fails to provide any teaching or suggestion of the subject matter noted above as deficient in LAAPOTTI. In particular, EBER fails to provide any teaching or suggestion for modifying LAAPOTTI in any manner that would render the instant invention unpatentable. That is, EBER does not provide any teaching or suggestion for modifying LAAPOTTI to press the web at a pressing pressure of at most 2MPa, as recited in at least independent claim 11.

Further, Applicants submit that claim 11 is allowable at least for the reason that it depends from allowable base claims and because it recites additional features that further define the present invention. In particular, Applicants submit that LAAPOTTI fails to teach or suggest, *inter alia*, the fiber material web comprises curled fibers, as recited in claim 11.

Accordingly, Applicants request that the Examiner reconsider and withdraw the rejection of claim 11 under 35 U.S.C. § 103(a) and indicate that this claim is allowable.

3. Over Schiel

Applicants traverse the rejection of claims 9 and 10 under 35 U.S.C. § 103(a) as being unpatentable over SCHIEL (U.S. Patent No. 6,004,429).

Applicants note that, as independent claim 9 recites a process in which the pressing pressure exerted on the web is at most 2 MPa, SCHIEL fails to render the instant invention obvious. In particular, Applicants note that SCHIEL discloses a number of presses, and that

the main press is operated within a range of 2.5 - 5 MPa, which is outside of the recited range of independent claim 9.

Moreover, SCHIEL fails to provide any teaching or suggestion for reducing the pressing pressures in the main press to levels that would render the instant invention obvious.

Thus, Applicants submit that SCHIEL fails to render unpatentable the combination of features recited in at least independent claim 9.

Further, Applicants submit that claim 10 is allowable at least for the reason that it depends from allowable base claims and because it recites additional features that further define the present invention. In particular, Applicants submit that SCHIEL fails to teach or suggest, *inter alia*, the fiber material web comprises one of a tissue paper and a hygienic paper web, as recited in claim 10.

Accordingly, Applicants request that the Examiner reconsider and withdraw the rejection of claims 9 and 10 under 35 U.S.C. § 103(a) and indicate that these claims are allowable.

4. Over Schiel with Laapotti and further in view of Eber

Applicants the rejection of claim 11 as being unpatentable over SCHIEL in view of LAAPOTTI and EBER.

As discussed above, none of the applied documents teach or suggest a process in which the pressing pressure exerted on the web is at most 2 MPa. Accordingly, Applicants

submit that no proper combination of such documents can render unpatentable the instant invention.

Thus, Applicants submit that no proper combination of SCHIEL, LAAPOTTI, and EBER teaches or suggests the combination of features recited in at least independent claim 9.

Further, Applicants submit that claim 11 is allowable at least for the reason that it depends from allowable base claims and because it recites additional features that further define the present invention. In particular, Applicants submit that no proper combination of SCHIEL, LAAPOTTI, and EBER teaches or suggests, *inter alia*, the fiber material web comprises curled fibers, as recited in claim 11.

Accordingly, Applicants request that the Examiner reconsider and withdraw the rejection of claim 11 under 35 U.S.C. § 103(a) and indicate that this claim is allowable.

Newly Submitted Claims are Allowable

Applicants submit that newly presented independent claims 12 and 13 are allowable over the art of record at least for the reasons set forth above. In particular, independent claim 12 recites, *inter alia*, pressing the fiber material web against a drying cylinder such that a pressing pressure of at most 2 MPa is exerted on the fiber material web against the drying cylinder, and independent claim 13 recites, *inter alia*, passing the fiber material web to be dewatered through only one press nip together with a band, and subjecting the fiber material

web to be dewatered to a dewatering pressing pressure of at most 2 MPa in the only one press nip for a time duration of at least 3.5 ms.

Accordingly, Applicants request that the Examiner consider the merits of new claims 12 and 13 and indicate that these claims are allowable.

Application is Allowable

Thus, Applicants respectfully submit that each and every pending claim of the present invention meets the requirements for patentability under 35 U.S.C. §§ 102 and 103, and respectfully request the Examiner to indicate allowance of each and every pending claim of the present invention.

Authorization to Charge Deposit Account

The Commissioner is authorized to charge to Deposit Account No. 19 - 0089 any necessary fees, including any extensions of time fees required to place the application in condition for allowance by Examiner's Amendment, in order to maintain pendency of this application.

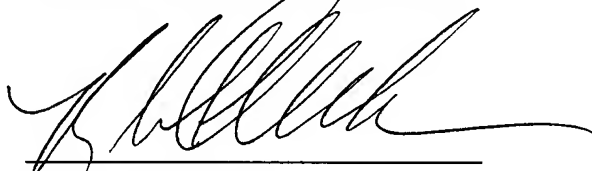
CONCLUSION

In view of the foregoing, it is submitted that none of the references of record, either taken alone or in any proper combination thereof, anticipate or render obvious the Applicants' invention, as recited in each of claims 9 - 13. The applied references of record have been discussed and distinguished, while significant claimed features of the present invention have been pointed out.

Further, any amendments to the claims which have been made in this response and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Accordingly, reconsideration of the outstanding Office Action and allowance of the present application and all the claims therein are respectfully requested and now believed to be appropriate.

Respectfully submitted,
Thomas Thoroe SCHERB et al.



Neil F. Greenblum
Reg. No. 28,394 *LA 35,93*

November 4, 2002
GREENBLUM & BERNSTEIN, P.L.C.
1941 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

APPENDIX

Marked-Up Copies of the Amended Claims:

9. (Amended) A process for the manufacture of a fiber material web, comprising:

[passing] dewatering the fiber material web [to be dewatered through a press nip] by pressing the fiber material web together with a band [; and subjecting the fiber material web to be dewatered to] at a dewatering pressing pressure of at most 2 MPa [in the press nip], wherein the dewatering pressing pressure is exerted for a time duration of at least 3.5 ms.